



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Ocean Service
1305 East West Highway
Silver Spring, Maryland 20910

SEP 17 2019

Jesse Coleman
MuckRock News
DEPT MR 47701
411A Highland Ave
Somerville, MA 02144-2516

Re: Request No. DOC-NOAA-2019-001810

Dear Jesse Coleman:

This letter is in response to your Freedom of Information Act (FOIA) request you sent to the Department of Interior, Bureau of Ocean Energy Management (BOEM) requesting the following:

“All communication between BOEM staff and Vincent Devito.”

On July 12, 2019, BOEM referred a responsive document pertaining to your request to the Department of Commerce for review and release determination.

The responsive document is enclosed. Certain information in this document has been deleted pursuant to FOIA Exemption 5 [5 U.S.C. 552 (b)(5)] deliberative process privilege, because this information consists of inter-or intra-agency, opinions, recommendations, and other reflections of staff thinking integral to the predecisional deliberative process.

You have the right to file an administrative appeal if you are not satisfied with our response to your FOIA request. All appeals should include a statement of the reasons why you believe the FOIA response was not satisfactory. An appeal based on the document in this release must be received within 90 calendar days of the date of this response letter at the following address:

Assistant General Counsel for Employment, Litigation, and Information
U.S. Department of Commerce Room 5896
1401 Constitution Avenue NW
Washington, DC 20230

An appeal may also be sent by email to FOIAAppeals@doc.gov or by FOIAOnline at <https://foiaonline.gov>.

For your appeal to be complete, it must include the following items:

- a copy of the original request,
- our response to your request,

- a statement explaining why the withheld records should be made available, and why the denial of the records was in error, and
- "Freedom of Information Act Appeal" must appear on your appeal letter. It should also be written on your envelope, email subject line, or your fax cover sheet.

FOIA appeals posted to the email box, FOIAOnline, or Office after normal business hours will be deemed received on the next business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

FOIA grants requesters the right to challenge an agency's final action in federal court. Before doing so, an adjudication of an administrative appeal is ordinarily required.

The Office of Government Information Services (OGIS), an office created within the National Archives and Records Administration, offers free mediation services to FOIA requesters. They may be contacted in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

Email: ogis@nara.gov

Phone: 301-837-1996

Fax: 301-837-0348

Toll-free: 1-877-684-6448

If you have questions regarding this correspondence, please contact Aida Pettegrue at aida.pettegrue@noaa.gov or by phone at (240)-533-0670, or the NOAA FOIA Public Liaison Ed Kearns at (828) 273-1998. Please refer to your FOIA request tracking number DOC-NOAA-2019-001810 when contacting us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicole R. LeBoeuf", is written over a circular stamp or seal.

Nicole R. LeBoeuf
Acting Assistant Administrator